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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,605	08/30/2000	Gilma A. Z. Perkins	MSFT-0166/144193.1	9087

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EXAMINER

ALVAREZ, RAQUEL

ART UNIT PAPER NUMBER

3622

MAIL DATE DELIVERY MODE

08/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/650,605

Applicant(s)

PERKINS ET AL.

Examiner

Raquel Alvarez

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-10 and 20-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-10 and 20-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This office action is in response to communication filed on 6/5/2007.
2. Claims 1-3, 5-10 and 20-27 are presented for examination.

#### **Claim Rejections - 35 USC § 103**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3, 5-10 and 20-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clarke (7,026,453 hereinafter Clarke) in view of Official Notice.

With respect to claims 1-3, 5-10 and 20, Clarke teaches a computer-implemented method to register business directory listings (col. 9, lines 46-51 and Figures 1, 2 and 4).

(a) Providing a computer-based directory of business listings, said directory being stored in a data store and comprising data organized as a tree having at least three levels of nodes, wherein a plurality of said nodes are representative of business categories, a plurality of said nodes are leaf nodes (figure 4, 404); and a plurality of said nodes are business directory listings associated therewith, the business directory listings comprising the lowest node within the at least three levels of nodes (Figure 4, 406), wherein only said leaf nodes map to said business directory listings nodes, wherein the business directory listings are child nodes of the leaf nodes and the

business category nodes are parent nodes of the leaf nodes (i.e. business categories for example, centers)(figure 4);

(b) accepting, from a user, via a network, at least one request to register a desired business listings and/or advertisement, said request indicating a selection by the client of at least one of said business categories for association with said desired business listing (col. 9, lines 46-51); and

( c ) storing said desired business listing in said directory according to said node tree using at least one of said business categories (i.e. the business listing is stored in the order entered in Figures 1, 2 and 4).

Clarke doesn't specifically disclose the business directory having standard industry codes (SIC). Official Notice is taken that it is old and well known to use standard industry codes which are often a 4 digit code used to denote differing specific industries. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included in the business directory of Clarke the teachings of standard industry codes in order to obtain the above mentioned advantage.

Claims 21, 25 and 27 further recite well known information necessary to advertise a product or service. Since Clarke teaches advertising a product or service then it would have been obvious to obtain certain information such as the description desired, the number of lines desired, the text to be printed, the color desired and image and titles in order to customize the individual ads. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included the

above steps in the advertisements of Clarke in order to obtain the above mentioned advantage.

Claim 22 further recites prompting the user to enter e-mail address. Official Notice is taken that it is old and well known to prompt user to use e-mail address as part of the user's contact information. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included prompting the user to enter e-mail address in order for the customer to be contacted using the convenient of a PC.

With respect to claims 23-24, Clarke further teaches a hyperlink to the user's content and prompting the user to input an URL for the website (Figure 5A).

Claim 26 further recites displaying the ads according to a particular rotation scope which defines a display frequency of one or more geographic areas. Official notice is taken that it is old and well known in marketing to define take into account the geographic region in order to determine how often to advertise in a particular region in order to better target the ads based on the geographic areas selected. It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to have included displaying the ads according to a particular rotation scope which defines a display frequency of one or more geographic areas in order to obtain the above mentioned advantage.

**Response to Arguments**

5. The 112 rejection has been withdrawn.
6. Applicant argues that Clarke is directed to search for products and services Online and states that the present invention is directed to registration method for the listing of business directory information. The Examiner wants to point out that in order to search for the products or services Online using the cascading menu, the information has to be inputted into the system and Clarke clearly teaches on col. 9, lines 46-51 and Figures 1, 2 and 4, the advertisers using menu and submenus similar to Figures 1, 2 and 4 to register and list their business in the directory. The menu system guides the advertiser to the desired categories of information in order for the advertisers to make the desired selections from the cascading menu.
7. Applicant argues that Clarke doesn't teach that the listing of directory information is the lowest level in the tree node organization. The Examiner disagrees with Applicant because Clarke teaches on Figure 4, the advertisers selecting from a cascading menu. For example, if an advertisers wants to list his organization, he or she will select with **centers** followed by **insurance** and last, the name of the business or directory information for **Aetna**, which will be the lowest level in the tree node.
8. Applicant argues that Clarke doesn't teach the business directory nodes having standard industry codes. The Examiner wants to point out that the claims are rejected under the doctrine of 103 and that therefore Clarke in combination with the well known use standard industry codes which are often a 4 digit code used to denote differing specific industries renders the claims obvious.

**Conclusion**

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

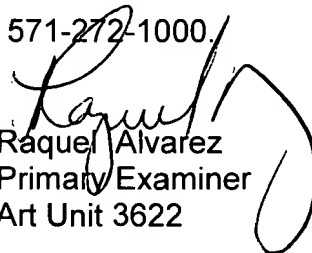
**Point of contact**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raquel Alvarez whose telephone number is (571)272-6715. The examiner can normally be reached on 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric w. Stamber can be reached on (571)272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Raquel Alvarez  
Primary Examiner  
Art Unit 3622

R.A.  
7/30/2007